

REMARKS

Claims 20-30, of which claims 20, 26, and 30 are in independent form, are presented for examination. The claims cover methods of making an anode can.

Claim 20 recites attaching a copper layer to a stainless steel layer to form a multi-layered sheet, *wherein the ratio of the copper layer thickness to the stainless steel layer thickness is at least 0.10:1.*

Claim 26 recites attaching a copper layer to a stainless steel layer to form a multi-layered sheet, wherein the thickness of the copper layer is at least 0.010 mm; punching a disk from the multi-layered sheet; and drawing the disk into a can, *wherein the thickness of the drawn anode can is no more than 0.0050 inch.*

Claim 30 recites attaching a first copper layer to a stainless steel layer to form a multi-layered sheet; punching a disk from the multi-layered sheet; drawing the disk into a can; and attaching a second copper layer to at least a portion of the drawn anode can to form *a finished anode can having a thickness of no more than 0.0050 inch, wherein the ratio of (a) the combined thickness of the first and second copper layers to (b) the thickness of the stainless steel layer is at least 0.10:1.*

The Examiner rejected claims 20-30 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,279,905 (Mansfield) in view of U.S. Patent No. 6,333,124 (Moriwaki) and U.S. Patent No. 6,447,947 (Huq). In particular, the Examiner acknowledged that Mansfield and Moriwaki do not disclose the ratio of the copper layer thickness to the stainless steel layer thickness to be at least 0.10:1 with the thickness of the drawn anode can being no more than 0.0050 inch, and relied on Huq for describing the deficiencies.

Huq could only qualify as a reference under 35 U.S.C. § 102(e). But at the time the claimed invention was made, the subject matter of Huq and the claimed invention were subject to an obligation of assignment to the same entity, namely, The Gillette Company. Accordingly, Huq cannot preclude patentability under 35 U.S.C. § 103 (See 35 U.S.C. § 103(c)), and Applicants request that the rejection be withdrawn.

Applicants believe the claims are in condition for allowance, which action is requested.